



JUDICIAL STANDARDS COMMISSION  
STATE OF NORTH CAROLINA

**FORMAL ADVISORY OPINION: 2010-01**

January 8, 2010

**QUESTION:**

May a judge enter an *ex parte* order for an attorney to be admitted to practice *pro hac vice*?

**COMMISSION CONCLUSION:**

The Judicial Standards Commission determined the judge may enter an *ex parte* order for an attorney to be admitted to practice *pro hac vice*, provided all parties receive notice of the motion as required by law and have an opportunity to object.

**DISCUSSION:**

Motions for attorneys to be admitted to practice *pro hac vice* are procedural issues which do not go to the merits of an action. The admission of counsel *pro hac vice* in North Carolina is not by right, but is rather a discretionary privilege, the determination of which is vested within the judgement of the court. Notice and an opportunity to object cure any potential objection to entering a *pro hac vice* order *ex parte*.

Reference:

North Carolina Code of Judicial Conduct  
Canon 3A(4)